IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 2390 of 2004

Between:

G.Srinivasulu, s/o Sri Ramulu,
r/o 3-1489, Holmespet, Proddatur,
Cuddapah District.

..... PETITIONER

AND

1 Andhra Pradesh State Road Transport Corporation,
Cuddapah Region, rep., by its Regional Manager,
Cuddapah, Cuddapah District.

2 Divisional Manager, APSRTC,
Proddatur, Cuddapah District.

3 The Depot Manager, APSRTC,
Proddatur, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order direction or writ particularly one in the nature of writ

of mandamus or any other appropriate writ declaring the action of the respondents in deleting the name of the petitioner and disengaging the services of petitioner vide proceedings No.E1/2(6)/2003-PDTR dated 1-4-2003 as illegal and arbitrary and consequently direct the respondents to reinstate the petitioner into service with back wages and all other attendant benefits.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondents: MR.P.VINAYAKA SWAMY, STANDING COUNSEL

The Court made the following:

ORDER

Heard Mr.G.Vidyasagar, learned counsel for the petitioner and also Mr.P.Vinayaka Swamy, learned Standing Counsel for the respondents and at their request, the main Writ Petition itself is taken up for disposal

The petitioner herein, who has been working as driver with the respondent corporation filed this Writ Petition *inter alia* seeking to assail the impugned order, dated 01-0-2003, by way of Writ of mandamus where under the name of the petitioner was deleted from the approved list/selected list on the ground that the vehicle which was driven by the petitioner was involved in a major accident.

On the face of it, it is seen that neither an enquiry was conducted nor an opportunity was provided to the petitioner to give his explanation with regard to the deletion of his name from the approved list/selected list and therefore, deleting the name of the petitioner thereof is wholly unsustainable.

In the circumstances, the Writ petition is allowed setting aside the impugned order. It shall be open for the respondents to conduct any

enquiry if they choose to do so. No costs.

08-04-2005

Hsd

That Rule Nisi has been made absolute as above.

Witness, the Hon'ble Sri Bilal Nazki, the acting Chief Justice, on this Friday, the Eighth day of April, 2005.

Asst. Registrar

To

1 The Regional Manager, Andhra Pradesh State Road Transport Corporation, Cuddapah Region.
Cuddapah, Cuddapah District.

2 Divisional Manager, APSRTC,
Proddatur, Cuddapah District.

3 The Depot Manager, APSRTC,
Proddatur, Cuddapah District.

4 2 CD copies.